

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CITY OF NEWPORT)	
)	
V.)	
)	
CAMPBELL COUNTY KENTUCKY WATER DISTRICT)	
AND)	
KENTON COUNTY WATER DISTRICT NO. 1)	
)	
and)	CASE NO. 89-014
)	
CHARLES ATKINS AND)	
STEVEN J. FRANZEN)	
)	
V.)	
)	
CAMPBELL COUNTY KENTUCKY WATER DISTRICT)	

O R D E R

This matter coming on for a pre-hearing conference on October 5, 1989 pursuant to Order of the Commission for the purpose of expediting the proceedings, all parties being represented by counsel, and this Commission being sufficiently advised,

IT IS ORDERED that:

1. Each party shall, on or before October 12, 1989, file a hearing memorandum which shall (a) identify the issues to be addressed, (b) outline the proof to be presented, (c) summarize each witnesses testimony, and (d) present the order in which each witness will testify on direct examination.

2. Notwithstanding each party's order of proof, the parties have agreed that the following witnesses shall be permitted to testify out of order and at the following times:

a. Herbert Kenter, Mayor, city of Highland Heights, on Wednesday, October 18, 1989 at 9:30 a.m. for the city of Highland Heights.

b. Robert Beebe, on Wednesday, October 18, 1989 immediately following Herbert Kenter for the Attorney-General.

c. Eric Haas, on Wednesday, October 18, 1989 at 1:00 p.m. for the city of Newport.

d. Gene Scholes, on Wednesday, October 18, 1989 immediately following Eric Haas for the city of Newport.

3. Each party may prefile the direct testimony of any witness on or before October 12, 1989.

4. The order in which the parties shall present their cases shall be as follows:

- a. City of Newport
- b. Charles J. Atkins and Steven J. Franzen
- c. Attorney-General
- d. Campbell County Water District
- e. Kenton County Water District

5. The parties have stipulated and agreed that the witnesses offered by each as experts in a particular field are qualified by their knowledge, training, or experience to offer expert testimony in their area of expertise.

6. With respect to the exhibits filed herein in accordance with the procedural schedule,

a. Each party shall mark its exhibits for identification.

b. Each exhibit, except those to which objections has been made and sustained, is hereby admitted into evidence in these proceedings.

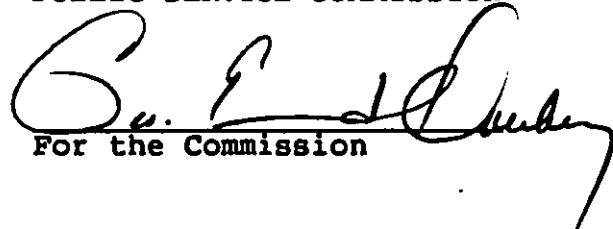
c. Each party may refer to and use as part of its evidence any exhibit filed by any party to this proceeding, but only to the extent that the purpose for which the exhibit is offered is relevant and the witness is knowledgeable as to the contents of the exhibit.

7. The Kenton County Water District and/or the Campbell County Water District shall make Barry Dixon, a listed witness, available for deposition by the city of Newport, but only for the limited purpose of examination into matters of which he claimed no knowledge at his original deposition, but which he later developed in the form of exhibits.

8. The documents and filings made by the parties in Case No. 89-029 and Case No. 89-179 before this Commission are incorporated by reference herein.

Done at Frankfort, Kentucky this 9th day of October, 1989.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:

Executive Director